

By: Hernandez

H.B. No. 1104

Substitute the following for H.B. No. 1104:

By: Kuempel

C.S.H.B. No. 1104

A BILL TO BE ENTITLED

AN ACT

relating to sexual assault and domestic violence awareness
continuing education for cosmetology license holders.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1602.354, Occupations Code, is amended
by adding Subsection (c) to read as follows:

(c) The commission shall require the continuing education
programs under Subsection (a) to include information, approved by
or acceptable to the commission, on sexual assault and domestic
violence awareness. A license holder subject to Subsection (a) who
is also a peace officer licensed under Chapter 1701, or an educator
certified under Subchapter B, Chapter 21, Education Code, is exempt
from the portion of continuing education described by this
subsection. The commission may waive the requirement that a
license holder participate in the portion of continuing education
described by this subsection if:

(1) the commission determines that completion of the
requirement will cause the person substantial financial hardship;

(2) the person is serving in the United States armed
forces; or

(3) the person is incapacitated due to illness.

SECTION 2. Subchapter I, Chapter 1602, Occupations Code, is
amended by adding Section 1602.408 to read as follows:

Sec. 1602.408. IMMUNITY FROM LIABILITY. A person who has

1 completed the portion of continuing education described by Section
2 1602.354(c), or that person's employer, is immune from civil and
3 criminal liability for reporting, in good faith, information
4 obtained during the course and scope of the person's employment
5 that relates to a potential act of sexual assault or domestic
6 violence.

7 SECTION 3. (a) Not later than March 1, 2018, the Texas
8 Commission of Licensing and Regulation shall adopt rules to
9 implement Section 1602.354, Occupations Code, as amended by this
10 Act.

11 (b) Section 1602.354, Occupations Code, as amended by this
12 Act, applies only to the renewal of a license or certificate that
13 expires on or after September 1, 2018. The renewal of a license or
14 certificate that expires before that date is governed by the law in
15 effect immediately before the effective date of this Act, and the
16 former law is continued in effect for that purpose.

17 SECTION 4. This Act takes effect September 1, 2017.